

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SALIMA HAWTHORNE, K.A., *et al.*,

Plaintiffs,

v.

MUNICIPALITY OF NORRISTOWN, *et al.*,

Defendants.

CIVIL ACTION
No. 15-01572

PAPPERT, J.

April 29, 2016

MEMORANDUM

Subsequent to the Court granting summary judgment in its favor, Defendant Municipality of Norristown (“Norristown”) filed a motion for sanctions pursuant to 28 U.S.C. Section 1927. Norristown contends that Plaintiffs’ counsel, Gregg L. Zeff (“Counsel” or “Zeff”), in bad faith continued to pursue a case he knew to be meritless. Norristown seeks reimbursement of attorneys’ fees and costs incurred to defend the case for several months after Zeff should have voluntarily dismissed the Plaintiffs’ complaint or withdrawn from his representation of the Plaintiffs. The Court grants the motion.

I.

This case involved the police pursuit of a stolen car whose occupants were injured when the car crashed. Throughout the litigation, Zeff maintained that Norristown police officers aggressively chased and rammed his clients’ car, which led to a “catastrophic collision” and their injuries. Video from a dashboard camera in one of the officer’s cars, however, revealed the Plaintiffs’ allegations to be false. Based largely on that video, the Court granted Norristown’s motion for summary judgment and dismissed the case on February 5, 2016. *See Hawthorne v.*

Municipality of Norristown, No. 15-01572, 2016 WL 454401 (E.D. Pa. Feb. 5, 2016). The Court's Opinion includes a detailed recitation of the facts, which need not be repeated here. After dismissing the case, the Court issued an order to show cause why sanctions were not appropriate under Federal Rules of Civil Procedure 11(b)(1)–(3), 28 U.S.C. Section 1927 and/or the Court's inherent powers. (ECF No. 44 at 1–3.) The Court ordered Counsel to respond by February 22, 2016, and held a hearing on February 24, 2016. (*Id.*)

At the hearing, Scott Gottel ("Gottel"), Norristown's attorney, stated that he sent the police pursuit video to Zeff with Norristown's initial disclosures on April 17, 2015. (Order to Show Cause Oral Arg. ("Second Oral Arg.") 39:20–21, ECF No. 52.) Sometime thereafter, Zeff's associate told Gottel's office that they did not receive the video. Gottel resent the video on May 7, 2015 and Zeff received it the same day. (*Id.* 40:3–5; *see also* Pls.' Opp. to Order to Show Cause at 2, 6, ECF No. 47-1) Represented by counsel at the hearing, Zeff acknowledged that he watched the video before K.A.'s deposition on July 21, 2015. (Second Oral Arg. 8:10–19, 18:20–19:4.) He admitted that the video contradicts his clients' allegations. (*Id.* 25:5–6.) He also stated that he failed to amend the complaint after viewing the video because he is one who doesn't "amend my Complaint regularly" and proceeds with the original pleading "whether it's true or false." (*Id.* 9:25–10:1, 33:18–22.) After Zeff deposed Norristown's police officers in early August and the beginning of September, 2015 it was "crystal clear" to him that "this was a police department that did everything by the book" and he was "actually shocked by it." (*Id.* 34:13–15.)

On February 26, 2016 Norristown filed its motion for sanctions. (Def.'s Mot. for Sanctions ("Def.'s Mot."), ECF No. 49-1.) It asks the Court to award \$73,588.89 for costs and fees incurred from July 21, 2015 through February 24, 2016, in addition to \$1,000.00 in fees for

the preparation of its motion for sanctions, for a total of \$74,588.89. (*Id.* at 9.) Zeff retained new counsel on March 4, 2016. (ECF No. 50.) Counsel requested additional time to respond to Norristown's motion, which the Court granted. (ECF No. 51.) The response filed on March 25, 2016 contends, among other things, that Zeff's conduct did not meet the statutory definition of "bad faith" under Section 1927. (Pls.' Opp. to Def.'s Mot. ("Pls.' Opp.") at 20–21, ECF No. 53.) Norristown replied a week later and the Court scheduled oral argument for April 13, 2016. (ECF Nos. 54–55.) At Zeff's request, the Court rescheduled the hearing to April 19, 2016. (Motion for Sanctions Oral Arg. ("Third Oral Arg."), ECF No. 58.)

II.

Title 28 U.S.C. Section 1927 states that "[a]ny attorney or other person admitted to conduct cases in any court of the United States . . . who so multiplies the proceedings in any case unreasonably and vexatiously" may be required to "satisfy personally the excess costs, expenses, and attorneys' fees reasonably incurred because of such conduct." An attorney violates Section 1927 if he: "(1) multiplied proceedings; (2) in an unreasonable and vexatious manner; (3) thereby increasing the cost of the proceedings; and (4) doing so in bad faith or by intentional misconduct." *In re Schaefer Salt Recovery, Inc.*, 542 F.3d 90, 101 (3d Cir. 2008) (quoting *In re Prudential Ins. Co. Am. Sales Practice Litig. Agent Actions*, 278 F.3d 175, 188 (3d Cir. 2002)). The principal purpose of imposing sanctions under Section 1927 is the "deterrence of intentional and unnecessary delay in the proceedings." *In re Schaefer Salt Recovery, Inc.*, 542 F.3d at 101 (quoting *Zuk v. E. Pa. Psychiatric Inst. of the Med. Coll.*, 103 F.3d 294, 297 (3d Cir. 1996)).

The Third Circuit Court of Appeals has held that "sanctions may not be imposed under § 1927 absent a finding that counsel's conduct resulted from bad faith, rather than

misunderstanding, bad judgment, or well-intentioned zeal.” *Grider v. Keystone Health Plan Cent., Inc.*, 580 F.3d 119, 142 (3d Cir. 2009) (quoting *LaSalle Nat’l Bank v. First Conn. Holding Group, L.L.C. XXIII*, 287 F.3d 279, 289 (3d Cir. 2002)). The attorney’s conduct “must be of egregious nature, stamped by bad faith that is violative of recognized standards in the conduct of litigation.” *Baker Indus., Inc. v. Cerberus, Ltd.*, 764 F.2d 204, 208 (3d Cir. 1985) (citation omitted). Bad faith may be inferred where a party pursues claims that are clearly frivolous. *See In re Prudential*, 278 F.3d at 188 (“Indications of this bad faith are findings that the claims advanced were meritless, that counsel knew or should have known this, and that the motive for filing the suit was for an improper purpose such as harassment.”) (citation omitted); *see also Murphy v. Hous. Auth. and Urban Redevelopment Agency of City of Atl. City*, 51 F. App’x 82, 83 (3d Cir. 2002) (“[B]ad faith may be inferred from the record . . .”).

III.

Counsel’s conduct in continuing to pursue the claims against Norristown after watching the dash cam video on or before July 21, 2015 merits the imposition of sanctions under Section 1927. (Pls.’ Opp. at 10) (“In preparation for the depositions of his [Zeff’s] clients on July 21, 2015, he viewed the video.”) The case, or at a minimum Counsel’s participation in it, should have ended very shortly thereafter. Instead, the proceedings were extended by more than six months. Activity in the litigation included: Plaintiffs K.A. and Johnson’s depositions on July 21, 2015 and September 1, 2015 respectively, the depositions of various Norristown police officers on August 11, 2015 and September 1, 2015, briefing on Norristown’s motion for summary judgment, oral argument on the motion on January 19, 2016 and the Court’s considerable time spent preparing for and conducting oral argument and writing its summary judgment opinion. (*Id.* at 11–14.) All of this was, by definition, a multiplication of these proceedings which

obviously increased the costs incurred by Norristown as it continued to defend itself and the conduct of its officers. That multiplication was unreasonable and vexatious. Counsel knew or should have known from the instant he watched the video that his clients' claims were frivolous. He instead forged ahead until the Court's dismissal of the case.¹ (*Id.* at 17.)

The Court regrettably concludes that Counsel acted in bad faith in pursuing the case after the dash cam video revealed the falsity of the complaint's central allegations. While the Court may infer bad faith from the record, here no such inference is required; the record speaks for itself. *See Murphy*, 51 F. App'x at 83. Zeff knew or reasonably should have known that his claims had no basis in law or fact after viewing the video. For one thing, Counsel never amended the complaint, specifically paragraph fourteen which states:

Ultimately, a Norristown police vehicle struck the back of the vehicle driven by Bailey causing that vehicle to strike another vehicle and roll over in a catastrophic collision. Plaintiffs Ameer Johnson and K.A. suffered serious injuries including but not limited to head, brain, neck, back, arm, leg and other injuries, resulting in a lengthy hospitalizations, rehabilitation and surgeries, some or all of which may be permanent.

(Pls.' Compl. ¶ 14, ECF No. 1) (emphasis added.)

Perhaps most troubling, Counsel discussed and reviewed the video with his clients, K.A. and Johnson, and then sat silently through their depositions while they testified to a version of the case which was flatly contradicted by the video. (Second Oral Arg. 16:11–13.) Specifically, K.A. testified that although he did not see it, a police car hit their car, which caused it to lose control, hit a “big bump” in the road and crash. *See Hawthorne*, No. 15-01572, 2016 WL

¹ Counsel also continued to pursue a settlement throughout this extended timeframe. He participated in a settlement conference before Chief Magistrate Judge Caracappa on October 8, 2015, and following the summary judgment oral argument negotiated with Norristown's insurer a de minimis settlement on or around January 19, 2016. (Pl.'s Opp. at 6, 17.) Gattel was unaware of any settlement offer made on behalf of his client. (Second Oral Arg. 27:8–23.) He stated at oral argument that the insurer only extended the offer “because of the approaching trial and the increasing costs of having to continue with the litigation.” (*Id.* 27:15–16.) The offer was made “without [Gattel's] consultation.” (*Id.* 27:22–23.) In any event, the Court dismissed the Plaintiffs' complaint before the parties agreed to any settlement. *See Hawthorne*, No. 15-01572, 2016 WL 454401, at *8.

454401, at *2. Johnson testified that their car hit a “little bump” and police cars hit the car “like three times” after the bump. *Id.* Counsel maintained his original theory of the case through every deposition, summary judgment brief, oral argument and settlement negotiation. None of that should have ever happened. Upon watching the dash cam video as part of its review of the record in deciding Norristown’s summary judgment motion, the Court knew—immediately and without any doubt or question—that the car in which the Plaintiffs were riding crashed because the driver was speeding, not because a police car “rammed” it.

Zeff argues that he had to proceed with the case and could not withdraw because his clients “did not provide . . . authorization [to withdraw] in time for oral argument” and that there was a “lack of guidance from his clients.” (Pls.’ Opp. at 13.) If Counsel’s clients were unwilling to withdraw their claims, he had a duty under the Pennsylvania Rules of Professional Conduct to withdraw from their representation. Rule 1.16(a) states that:

A lawyer shall . . . withdraw from the representation of a client if: (1) the representation will result in violation of the Rules of Professional Conduct or other law . . . (4) the client insists upon taking action that the lawyer considers repugnant or with which the lawyer has a fundamental disagreement . . . (7) other good cause for withdrawal exists.

The comments to Rule 1.16 state that a lawyer “ordinarily must decline or withdraw” from representation if his clients “demand[] that the lawyer engage in conduct that . . . violates the Rules of Professional Conduct.” Moreover, “[w]ithdrawal is also justified if the client persists in a course of action that the lawyer reasonably believes is . . . fraudulent.” Pa. Rules of Professional Conduct 1.16 cmts. 2, 7.

Rule 3.1 addresses “meritorious claims and contentions” and instructs that “[a] lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis in law and fact for doing so that is not frivolous . . .” The comments to Rule 3.1 clarify

that lawyers are required to “determine that they can make good faith arguments in support of their clients’ positions” and that an action is frivolous if the lawyer is unable “to make a good faith argument on the merits of the action taken” Pa. Rules of Professional Conduct 3.1 cmt. 2.

Zeff contends that the totality of his conduct does not constitute bad faith, and relies upon *Maule v. Philadelphia Media Holdings, LLC*, No. 08-3357, 2009 WL 129759 (E.D. Pa. Jan. 16, 2009) and *Barbee v. Se. Pa. Transp. Auth.*, No. 04-4063, 2007 WL 403881 (E.D. Pa. Feb. 1, 2007)—cases in which our Court did not find bad faith under Section 1927. (Pls.’ Opp. at 22–23.) Neither decision changes the Court’s assessment of Counsel’s conduct in this case. In *Maule*, the defendant argued that the plaintiffs should be sanctioned for “attempting to hold” the defendant liable under several legal theories it viewed as improper. *Maule*, 2009 WL 129759, at *1. The court found that while the plaintiffs’ claims may not ultimately prevail, there was a “reasonable basis in law” for the assertions and therefore their conduct could not “be characterized as unreasonable or vexatious.” *Id.* at *2–3. Likewise, in *Barbee*, the defendant argued that because six of the plaintiff’s seven claims were dismissed on summary judgment, he should be sanctioned. *Barbee*, 2007 WL 403881, at *3. The court found that while the plaintiff’s claims “may appear frivolous in hindsight, at the outset there appeared to be a genuine issue in need of jury resolution.” *Id.* at *2. The fact that “six of his seven claims were dismissed on summary judgment” is not proof that he “advanced meritless claims.” *Id.* at *3.

Zeff also argues that courts must “avoid chilling an attorney’s legitimate ethical obligation to represent his client zealously” and that an attorney’s “well-intentioned zeal” does not equate to bad faith. (Pls.’ Opp. at 19.) The Court agrees with Counsel and the Court’s decision today should in no way be interpreted to hinder zealous advocacy, which is an

indispensable component of our civil justice system. Zealous advocacy, however, does not mean unbounded advocacy. Counsel must be mindful of the basic purpose of the adversary system—as a means of promoting the discovery of truth—and of their obligations as officers of the court. *See Montgomery Ward & Co., Inc. v. Pacific Indem. Co.*, 557 F.2d 51, 58 (3d Cir. 1977) (“[I]t may be expected that the attorneys, as officers of the court, will adhere to the rightful boundaries of zealous advocacy . . .”).

IV.

The appropriateness of assessing attorneys’ fees against counsel under Section 1927 is a matter for the district court’s discretion. *See Ford v. Temple Hosp.*, 790 F.2d 342, 347 (3d Cir. 1986) (citing *Baker*, 764 F.2d at 210). To properly exercise this discretion, the Court must “balance the equities between the parties and may award attorney’s fees whenever overriding considerations indicate the need for such a recovery.” *Id.* Sanctions levied under Section 1927 must only impose costs and expenses that result from the particular misconduct, *see Martin v. Brown*, 63 F.3d 1252, 1264 (3d Cir. 1995), and are limited to those taxable under 28 U.S.C. Section 1920. *See In re Prudential*, 278 F.3d at 188; *see also Martin*, 63 F.3d at 1264.

A.

The starting point for determining reasonable attorneys’ fees is the lodestar method. *See Loftus v. Se. Pa. Transp. Auth.*, 8 F. Supp. 2d 458, 463 (E.D. Pa. 1998) (citing *Matthews v. Freedman*, 128 F.R.D. 194, 207 (E.D. Pa. 1989), *aff’d*, 919 F.2d 135 (3d Cir. 1990)). The lodestar formula multiplies the reasonable number of hours expended by a reasonable hourly rate. *See Hensley v. Eckerhart*, 461 U.S. 424, 433 (1983). The prevailing party bears the burden of establishing with satisfactory evidence, in addition to the attorney’s own affidavits, that the

requested hourly rate meets this standard. *See Washington v. Philadelphia County Court of Common Pleas*, 89 F.3d 1031, 1035 (3d Cir. 1996).

The Third Circuit has held that “it is necessary that the Court ‘go line, by line, by line’ through the billing records supporting the fee request.” *Evans v. Port. Auth. of N.Y. & N.J.*, 273 F.3d 346, 362 (3d Cir. 2001) (emphasis in original). The district court considers whether the time charged is reasonable, excluding “hours that are excessive, redundant, or otherwise unnecessary, just as a lawyer in private practice ethically is obligated to exclude such hours from his fee submission’ to his client.” *Tenafly Eruv Ass’n, Inc. v. Borough of Tenafly*, 195 F. App’x 93, 96 (3d Cir. 2006) (quoting *Hensley*, 461 U.S. at 434). To challenge the fee request, plaintiffs must state their grounds with “sufficient specificity.” *Bell v. United Princeton Props., Inc.*, 884 F.2d 713, 715 (3d Cir. 1989).

Gottel submitted an affidavit to the Court. (Gottel Aff., ECF No. 60.) He is an attorney with Holsten & Associates, where he has worked since March 2003. (*Id.* ¶ 2.) He graduated from the University of Richmond in 1995 and Dickinson School of Law in 1998 and has been admitted to practice in the Commonwealth of Pennsylvania since 1998, the United States District Court for the Eastern District of Pennsylvania since 2003 and the Third Circuit Court of Appeals since 2004. (*Id.* ¶¶ 3–4.) Megan Scott (“Scott”), a paralegal with Holsten & Associates, assisted Gottel in the matter.² (*Id.* ¶ 11.) Scott attended Neumann University and is a certified paralegal. (*Id.*)

Community Legal Services (“CLS”) of Philadelphia lists a rate of \$435–\$505 per hour for attorneys with between 16 and 20 years of experience. (Def.’s Mot., Ex. G.) The fee schedule established by CLS “has been approvingly cited by the Third Circuit as being well

² Legal work performed by paralegals may be recovered under “reasonable attorneys’ fees.” *See, e.g., Missouri v. Jenkins by Agyei*, 491 U.S. 274, 297–98 (1989); *Zavodnick v. Gordon & Weisberg, P.C.*, No. 10-7125, 2012 WL 2036493, at *6–8 (E.D. Pa. June 6, 2012).

developed and has been found by [the Eastern District of Pennsylvania] to be a fair reflection of the prevailing market rates in Philadelphia.” *Maldonado v. Houstoun*, 256 F.3d 181, 187 (3d Cir. 2001) (citations and internal quotation marks omitted). The Court uses the median of this range, \$470, as Gottel has practiced for 18 years. Gottel spent 230.40 billable hours on the matter between July 21, 2015 and February 24, 2016. (Def.’s Mot., Ex. H at 53.) The lodestar calculation is therefore $230.40 \times \$470 = \$108,288.00$. Gottel’s rate of \$155 per hour is unquestionably reasonable given the lodestar rate of \$470.

Zeff does not contest the reasonableness of Gottel’s fees or the number of hours billed. (Pls.’ Opp. at 22) (“[N]o contest is asserted regarding the reasonability of the hourly rates or the amount of time spent on the asserted tasks.”) After a line by line examination of the fees, however, the Court adjusts the following entries which the Court deems excessive, redundant or otherwise unnecessary:

- The analysis and review of Salima Hawthorne’s deposition is adjusted downward from 8.1 hours to 4 hours. *See infra* Appendix A (“App. A”) at 20–21.
- The analysis and review of Lieutenant Todd Dillon’s deposition is adjusted downward from 4.4 hours to 2.2 hours. *See infra* App. A at 20–21.
- The time entry with the narrative “Reviewed the complaint to find where the plaintiff fell to see if there is a common walkway easement” is eliminated as it appears to pertain to another matter. *See infra* App. A at 24.
- The time spent drafting and preparing Norristown’s motion for summary judgment is adjusted downward from 27.7 hours to 18 hours. *See infra* App. A at 22–27.
- Several time entries are for costs properly taxable under 28 U.S.C. Section 1920 and are therefore addressed in the Court’s costs analysis *infra* Part IV.B. *See infra* App. A at 13, 18, 32, 34.
- Several time entries are for costs not recoverable under 28 U.S.C. Section 1920 and are therefore eliminated. *See infra* App. A at 14, 22, 25, 33.

Multiplying Gottel's \$155 per hour rate by the hours reasonably expended after the above downward adjustments yields a total of \$29,166.00 in attorneys' fees. *See infra* App. A at 34. The Court exercises its discretion and declines to award Norristown the estimated \$1,000.00 incurred in drafting its motion for sanctions.

B.

Any costs awarded pursuant to 28 U.S.C. Section 1927 must be taxable under Section 1920, which lists six categories of such costs:

(1) Fees of the clerk and marshal; (2) Fees for printed or electronically recorded transcripts necessarily obtained for use in the case; (3) Fees and disbursements for printing and witnesses; (4) Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case; (5) Docket fees under section 1923 of this title; and (6) Compensation of court appointed experts, compensation of interpreters, and salaries, fees, expenses, and costs of special interpretation services under section 1828 of this title.

Norristown included in its motion a listing of the expenditures it incurred in defending this matter from July 21, 2015 through February 24, 2016. The Court conducted a line by line review and finds those costs taxable under Section 1920, listed *infra* Appendix B ("App. B"), total \$4,351.99.

The Court, under its inherent powers, may also award those costs not compensable under Section 1920, since Counsel acted in bad faith. *See In re Prudential*, 278 F.3d at 189 (stating that courts may impose sanctions pursuant to their inherent authority "'where a party has acted in bad faith, vexatiously, wantonly, or for oppressive reasons'" (quoting *Chambers v. NASCO, Inc.*, 501 U.S. 32, 45–46 (1991))). Norristown also seeks reimbursement of \$35,522.49 in costs incurred after July 21, 2015 for services and retention of its non-court appointed experts. (Def.'s Mot. at 3–4.) Zeff opposes those costs and argues that there is no "verification as to the necessity, reasonability or requirement of those services." (Pls.' Opp. at 21–24.) The Court, while

understanding that Norristown did what it felt necessary and appropriate to defend the case, nonetheless declines to award these additional costs and finds sufficient those costs which are compensable under Section 1920.

C.

The Court awards Norristown \$29,166.00 in attorneys' fees and \$4,351.99 in costs, for a total of \$33,517.99. The Court takes no pleasure in issuing this Opinion or entering this award, but is confident that both reflect Section 1927's purposes and objectives. An appropriate order follows.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.

Appendix A. Fees.

Initials	Date	Narrative ³	Hours Claimed	Hours Revised ⁴	Rate	Subtotal
SCG	7/21/2015	Additional preparation for depositions, analyze evidence and issues of juvenile criminal records	0.5		155	\$77.50
SCG	7/21/2015	Attend and represent insured at deposition of Salima Hawthorne	3.5		155	\$542.50
SCG	7/21/2015	Attend and represent insured at deposition of Kalee Adger	1.5		155	\$232.50
SCG	7/21/2015	Attend and represent insured at deposition of Nikeen Flagg	1.0		155	\$155.00
SCG	7/21/2015	Attend and represent insured at deposition of Tasheen Overton (no show)	0.3		155	\$46.50
SCG	7/22/2015	Begin preparation of correspondence to claim rep, discuss and analyze testimony of Salima Hawthorne, strategy and status	1.4		155	\$217.00
SCG	7/23/2015	Review case law regarding standards for police pursuit cases	0.3		155	\$46.50
SCG	7/23/2015	Complete correspondence to claim rep, discuss and analyze testimony of Kalee Adger and strategy	1.2		155	\$186.00
SCG	7/24/2015	Receive and analyze correspondence from plaintiff, discuss and analyze notice of deposition for chief of police	0.1		155	\$15.50
SCG	7/24/2015	Receive and analyze correspondence from claim rep, discuss and analyze testimony and strategy for case	0.2		155	\$31.00
SCG	7/24/2015	Prepare correspondence to claim rep, [redacted]	0.4		155	\$62.00
WFH	7/23/2015	Service of Subpoena – Fred Contino / Service of Subpoena to N. Fagg – Norristown / Service of Subpoena to T. Overton – Norristown	1	0	300	\$0.00

³ The “Narrative” column is a transcription of Holsten and Associates’ time entry descriptions. (Def.’s Mot., Ex. H at 11–53.)

⁴ This column lists the Court’s downward revisions, if any, to the hours claimed.

MS	7/27/2015	Drafted Subpoenas to The Powell Center for records of Plaintiff	0.2		100	\$20.00
MS	7/27/2015	Prepared/issued 4 record subpoenas on Ameer Johnson	0.3		100	\$30.00
SCG	7/28/2015	Telephone call with claim rep, discuss and analyze [redacted]	0.2		155	\$31.00
SCG	7/28/2015	Receive and analyze Plaintiff's rule 30 b deposition request	0.3		155	\$46.50
SCG	7/28/2015	Prepare for meeting with Chief of Police for deposition preparation, analyze evidence and potential topics	0.3		155	\$46.50
SCG	7/28/2015	Attend meeting with Chief of Police for deposition preparation, analyze evidence and potential topics	2.3		155	\$356.50
SCG	7/29/2015	Prepare correspondence to plaintiff, discuss and analyze rule 30b6 notice for testimony	0.2		155	\$31.00
SCG	7/29/2015	Receive and analyze correspondence from plaintiff, discuss and analyze notices of depositions for officers	0.2		155	\$31.00
SCG	7/30/2015	Receive and analyze correspondence from attorney, discuss and analyze rule 30b notice of testimony and request for Chief	0.2		155	\$31.00
SCG	7/31/2015	Analyze CVs of various experts in Ortho and Neuropsych and select potential experts for conducting IMEs of plaintiffs	0.5		155	\$77.50
MS	7/29/2015	Drafted Subpoenas to St. Christopher's Hospital for records of Plaintiff	0.2		100	\$20.00
MS	7/29/2015	Prepared / issued 8 subpoenas for Ameer Johnson	0.7		100	\$70.00
WFH	7/28/2015	Local Travel at .575/mile – travel to / from Norristown P.D. for preparation of Police Chief for Deposition	44	0	0.575	\$0.00
WFH	7/29/2015	Local Travel at .575/mile – travel to / from Phila for hearing with Judge at Federal Courthouse	42	0	0.575	\$0.00
WFH	7/29/2015	Parking – Phila	1	0	16.00	\$0.00

MS	7/27/2015	Drafted Subpoenas to Eisenhower School for records of Plaintiff	0.2		100	\$20.00
MS	7/27/2015	Drafted Subpoenas to Dr. Gupta, Community Health and Development for records of Plaintiff	0.2		100	\$20.00
MS	7/27/2015	Drafted Subpoenas to Norristown Area School District for records of Plaintiff	0.2		100	\$20.00
MS	7/27/2015	Drafted Subpoenas to Dr. Gupta, Community Health and Development for records of Ameer Johnson	0.2		100	\$20.00
MS	7/27/2015	Drafted Subpoenas to Central Montgomery MH/MR Center for records of Plaintiff	0.2		100	\$20.00
MS	8/4/2015	Drafted Subpoenas to Social Security Administration for records of Plaintiff	0.2		100	\$20.00
MS	7/29/2015	Drafted Subpoenas to Dr. Michael Kwon for records of Plaintiff	0.2		100	\$20.00
MS	7/29/2015	Drafted Subpoenas to Dr. Herman for records of Plaintiff	0.2		100	\$20.00
MS	7/29/2015	Drafted Subpoenas to Progress Therapy for records of Plaintiff	0.2		100	\$20.00
MS	7/29/2015	Drafted Subpoenas to MST Therapy Center for records of Plaintiff	0.2		100	\$20.00
MS	7/29/2015	Drafted Subpoenas to Central Montgomery for records of Plaintiff	0.2		100	\$20.00
MS	7/29/2015	Drafted Subpoenas to University of Pennsylvania for records of Plaintiff	0.2		100	\$20.00
MS	7/29/2015	Drafted Subpoenas to Moss Rehabilitation Center for records of Plaintiff	0.2		100	\$20.00
MS	7/29/2015	Drafted Subpoenas to Einstein Moss Rehab for records of Plaintiff	0.2		100	\$20.00
MS	7/29/2015	Drafted Subpoenas to Concussion Clinic for records of Plaintiff	0.2		100	\$20.00
MS	7/29/2015	Drafted Subpoenas to Central Montgomery Psychiatry for records of Plaintiff	0.2		100	\$20.00

MS	7/29/2015	Drafted Subpoenas to Dr. Glass for records of Plaintiff	0.2		100	\$20.00
SCG	8/4/2015	Prepare correspondence to plaintiff attorney, discuss and analyze Ameer Johnson deposition notice	0.2		155	\$31.00
SCG	8/4/2015	Prepare correspondence to Bailey, discuss and analyze deposition notice	0.2		155	\$31.00
SCG	8/4/2015	Receive and analyze correspondence from plaintiff, discuss and analyze Ameer unavailable to testify, potential medical issues precluding testimony	0.1		155	\$15.50
SCG	8/4/2015	Prepare email to plaintiff, discuss and analyze need for medical note regarding inability to testify and need for conference with court to discuss same	0.3		155	\$46.50
SCG	8/5/2015	Telephone call with vocational expert Ford, [redacted]	0.5		155	\$77.50
SCG	8/5/2015	Receive and analyze correspondence from attorney, discuss and analyze rule 30(6)(b) notice of deposition and testimony of chief	0.1		155	\$15.50
SCG	8/5/2015	Prepare correspondence to clients, [redacted]	0.5		155	\$77.50
SCG	8/5/2015	Receive and analyze email from attorney, discuss and analyze issue of testimony of Bailey and Ameer Johnson and conference with court	0.5		155	\$77.50
MS	8/4/2015	Drafted a letter to Plaintiff's attorney regarding a subpoena for medical records	0.3		100	\$30.00
MS	8/7/2015	Receive and analyze correspondence from plaintiff, discuss and analyze conference with judge	0.1		155	\$15.50
SCG	8/7/2015	Telephone call to judge's clerk, discuss and analyze conference with judge	0.1		155	\$15.50
SCG	8/7/2015	Prepare correspondence to Judge, discuss and analyze conference and issues	0.2		155	\$31.00

SCG	8/10/2015	Receive and analyze court order for conference with judge	0.1		155	\$15.50
SCG	8/10/2015	Telephone call from attorney, discuss and analyze testimony of officer witnesses	0.2		155	\$31.00
SCG	8/11/2015	Additional preparation for depositions of clients analyze evidence and issues	0.7		155	\$108.50
SCG	8/11/2015	Attend deposition of Lt. Dillon	1.5		155	\$232.50
SCG	8/11/2015	Attend deposition of Chief Talbot	0.8		155	\$124.00
SCG	8/11/2015	Attend deposition of Corporal Brooke	2.0		155	\$310.00
SCG	8/11/2015	Attend deposition of Corporal Benson	2.0		155	\$310.00
SCG	8/11/2015	Receive and analyze correspondence from Dillon; [redacted]	0.5		155	\$77.50
SCG	8/11/2015	Conference call with Judge, discuss and analyze testimony of Ameer Johnson and issues	0.3		155	\$46.50
SCG	8/11/2015	Receive and analyze correspondence from Talbot, [redacted]	0.2		155	\$31.00
SCG	8/12/2015	Attend deposition of Bailey, no show	0.4		155	\$62.00
SCG	8/12/2015	Prepare correspondence to claim rep, [redacted]	1.2		155	\$186.00
SCG	8/13/2015	Prepare correspondence to expert Stine, [redacted]	0.3		155	\$46.50
MS	8/11/2015	Prepared the necessary documents for the IME of Dr. Ford	2.1		100	\$210.00
MS	8/12/2015	Prepared documents for the upcoming IME of Dr. Mack	2.1		100	\$210.00
MS	8/13/2015	Continued to prepare information for the upcoming IMEs	3.1		100	\$310.00
SCG	8/13/2015	Review and analyze IME notices prepared by paralegal [redacted]	0.3		155	\$46.50
SCG	8/13/2015	Prepare motion to compel deposition of Bailey and request for sanctions for failure to appear	1.1		155	\$170.50
SCG	8/13/2015	Prepare correspondence to IME vocational expert, [redacted]	0.4		155	\$62.00

SCG	8/18/2015	Receive and analyze correspondence from Center City Legal Reproductions - , discuss and analyze need for authorizations of records for plaintiffs	0.2		155	\$31.00
SCG	8/18/2015	Prepare correspondence to plaintiff attorney, discuss and analyze need for authorizations of records for plaintiffs	0.2		155	\$31.00
SCG	8/19/2015	Conference with expert Ford, [redacted]	0.4		155	\$62.00
SCG	8/19/2015	Receive and analyze correspondence from attorney, discuss and analyze additional records requests and information on Lt. Shannon	0.3		155	\$46.50
SCG	8/19/2015	Prepare correspondence to client, [redacted]	0.4		155	\$62.00
WFH	8/19/2015	Deposition transcript – Diamond Court Reporting / Depositions of Daquan Bailey – no show / invoice	1	0	100	\$0.00
SCG	8/20/2015	Telephone call with Lt. Shannon, [redacted]	0.4		155	\$62.00
SCG	8/20/2015	Prepare correspondence to client, [redacted]	0.4		155	\$62.00
SCG	8/20/2015	Receive and analyze email from Lt Dillon, [redacted]	0.3		155	\$46.50
SCG	8/21/2015	Receive and analyze correspondence from Dillon, [redacted]	2.8		155	\$434.00
SCG	8/25/2015	Receive and analyze plaintiff's notice of deposition for testimony of Officer Robinson	0.2		155	\$31.00
SCG	8/24/2015	Prepare correspondence to plaintiff, discuss and analyze additional documents responsive to requests for incident reports for police pursuits	0.4		155	\$62.00
MS	8/24/2015	Prepared the necessary documents to send out to the doctor regarding an upcoming IME	1.1		100	\$110.00
MS	8/25/2015	Prepared the necessary transportation for the Plaintiff's to go to the IMEs	0.6		100	\$60.00

SCG	8/25/2015	Complete preparation of correspondence to plaintiff, discuss and analyze information on contact with Lt. Shannon	0.2		155	\$31.00
SCG	8/25/2015	Prepare correspondence to Dr. Yucha, [redacted]	0.5		155	\$77.50
SCG	8/25/2015	Prepare correspondence to Dr. Mack, [redacted]	0.6		155	\$93.00
SCG	8/25/2015	Prepare correspondence to plaintiff, discuss and analyze IME notices and status of case, testimony of Johnson	0.3		155	\$46.50
SCG	8/27/2015	Receive and analyze correspondence from plaintiff, discuss and analyze releases for medical records requested	0.2		155	\$31.00
SCG	8/28/2015	Telephone call from claim rep, [redacted]	0.1		155	\$15.50
SCG	8/28/2015	Prepare for correspondence to attorney, discuss and analyze testimony of Ameer	0.2		155	\$31.00
SCG	9/1/2015	Prepare for deposition of Ameer Johnson, analyze evidence and questions	0.8		155	\$124.00
SCG	9/1/2015	Meeting with Officer Robinson [redacted]	0.5		155	\$77.50
SCG	9/1/2015	Attend deposition of Officer Robinson	0.8		155	\$124.00
SCG	9/1/2015	Attend deposition of Ameer Johnson	1.7		155	\$263.50
SCG	9/2/2015	Prepare correspondence to claim rep, [redacted]	0.6		155	\$93.00
SCG	9/2/2015	Prepare correspondence to expert Stine [redacted]	0.2		155	\$31.00
MS	9/2/2015	Analyze and Review the deposition of Nikeen Flagg in preparation of a summary	1.9		100	\$190.00
MS	9/3/2015	Analyze and Review the deposition of Salima Hawthorne in preparation of page & line	3.1		100	\$310.00
SCG	9/3/2015	Prepare correspondence to Neuropsych, [redacted]	0.3		155	\$46.50
SCG	9/3/2015	Prepare correspondence to Vocational Expert for Ameer [redacted]	0.2		155	\$31.00

SCG	9/8/2015	Telephone call from expert Mack, [redacted]	0.3		155	\$46.50
SCG	9/9/2015	Receive and analyze records of Progress PT for Kalee Adger	0.4		155	\$62.0
SCG	9/9/2015	Receive and analyze correspondence from Dr. Mack, [redacted]	0.3		155	\$46.50
SCG	9/9/2015	Receive and analyze Norristown School District records for Ameer Johnson	0.8		155	\$124.00
SCG	9/9/2015	Prepare correspondence to IME doctor Yucha, [redacted]	0.3		155	\$46.50
MS	9/8/2015	Analyzed the deposition of Kalee Adger in preparation of a deposition summary	2.1		100	\$210.00
MS	9/9/2015	Drafted a revised Notice of an IME for Ameer Johnson	0.3		100	\$30.00
MS	9/9/2015	Analyzed / Reviewed the deposition of Kalee Adger in preparation of a deposition summary	1.1		100	\$110.00
MS	9/10/2015	Analyzed / Reviewed the deposition of Salima Hawthorne in preparation of a deposition summary	3.1	1.0	100	\$100.00
MS	9/11/2015	Analyzed / Reviewed Deposition of Lt. Todd Dillon in preparation of a deposition summary	1.1	1.0	100	\$100.00
SCG	9/11/2015	Conference with counsel for plaintiff regarding status of case	0.2		155	\$31.00
SCG	9/11/2015	Prepare correspondence to expert Stine, [redacted]	0.4		155	\$62.00
SCG	9/17/2015	Receive and analyze correspondence from Lt. Dillon, [redacted]	0.3		155	\$46.50
SCG	9/16/2015	Receive and analyze correspondence from Lt. Dillon, [redacted]	0.4		155	\$62.00
SCG	9/16/2015	Receive and analyze correspondence from Lt. Dillon, [redacted]	1.2		155	\$186.00
SCG	9/16/2015	Prepare correspondence to plaintiff, discuss and analyze prior pursuit policies	0.2		155	\$31.00

SCG	9/17/2015	Receive and analyze correspondence from attorney, discuss and analyze release for psychologist treatment records	0.1		155	\$15.50
SCG	9/17/2015	Prepare correspondence to Center City Legal Reproductions - , discuss and analyze release for psychologist treatment records	0.2		155	\$31.00
SCG	9/18/2015	Telephone call from expert Dr. Mack, [redacted]	0.4		155	\$62.00
SCG	9/21/2015	Receive and analyze correspondence from plaintiff, discuss and analyze authorization for Disability Care Management records	0.1		155	\$15.50
SCG	9/21/2015	Prepare correspondence to Center City Legal Reproductions, discuss and analyze authorization for Disability Care Management records	0.1		155	\$15.50
SCG	9/22/2015	Telephone call from Center City Legal Reproductions, discuss and analyze authorization	0.1		155	\$15.50
MS	9/21/2015	Analyze / Reviewed the deposition of Salima Hawthorne in preparation of a deposition summary	1.1	1.0	100	\$100.00
MS	9/22/2015	Analyze / Reviewed the deposition of Salima Hawthorne in preparation of a deposition testimony	3.9	2.0	100	\$200.00
SCG	9/22/2015	Receive and analyze email from plaintiff, discuss and analyze request for conference call	0.1		155	\$15.50
SCG	9/22/2015	Telephone call from plaintiff, discuss and analyze status of case, discovery, potential demand and potential request to judge for submission of liability issues to judge	0.5		155	\$77.50
MS	9/23/2015	Analyzed / Reviewed the deposition of Lieutenant Todd Dillon in preparation of a deposition summary	3.3	1.2	100	\$120.00

MS	9/23/2015	Analyzed / Reviewed the deposition of Lieutenant Chief Mark Tallbottom in preparation of a deposition summary	0.9		100	\$90.00
SCG	9/25/2015	Receive and analyze correspondence from Lt. Dillon: [redacted]	0.2		155	\$31.00
MS	9/24/2015	Analyzed / Reviewed the deposition of Corporal Joseph Benson in preparation of a deposition summary	3.7		100	\$370.00
MS	9/25/2015	Analyzed / reviewed the deposition of Corporal David Brookes in preparation for a deposition summary	3.1		100	\$310.00
SCG	9/21/2015	Expert Witness Fee – Premier Orthopedics / IME / Kalee Adger	1	0	250	\$0.00
SCG	9/28/2015	Receive and analyze correspondence from Center City Legal Reproductions - , discuss and analyze needed authorization for records	0.1		155	\$15.50
SCG	9/28/2015	Begin preparation of statement of material facts for motion for summary judgment	1.0	1	155	\$155.00
SCG	9/30/2015	Receive and analyze testimony digests of witnesses and review for evidence to present for Motion for Summary Judgment Statement of Material facts	1.0		155	\$155.00
SCG	9/30/2015	Continue preparation of Motion for Summary Judgment Statement of Material facts	0.9	0	155	\$0.00
SCG	10/1/2015	Continue preparation of Statement of Material Facts for Motion for Summary Judgment	1.8	1	155	\$155.00
SCG	10/2/2015	Complete draft of statement of material facts for Motion for Summary Judgment	1.6	1	155	\$155.00
SCG	10/2/2015	Begin preparation of memo of law for motion for summary judgment	1.9	1	155	\$155.00
SCG	10/5/2015	Telephone call from Dr. Mack, [redacted]	0.3		155	\$46.50
SCG	10/5/2015	Receive and analyze correspondence from DPW, discuss and analyze lien	0.2		155	\$31.00

SCG	10/5/2015	Prepare correspondence to claim rep [redacted]	0.2		155	\$31.00
SCG	10/5/2015	Continue preparation of Motion for Summary Judgment and memo of law	2.2	1	155	\$155.00
SCG	10/6/2015	Telephone call to court reporter, discuss and analyze testimony transcripts	0.1		155	\$15.50
SCG	10/6/2015	Receive and analyze records from Central Montgomery MR MH facility and conduct preliminary review	0.3		155	\$46.50
SCG	10/6/2015	Prepare correspondence to Dr. Mack, [redacted]	0.4		155	\$62.00
SCG	10/6/2015	Telephone call from claim rep, [redacted]	0.2		155	\$31.00
SCG	10/6/2015	Continue preparation of argument for memo of law for Motion for Summary Judgment	3.2	2	155	\$310.00
MS	10/6/2015	Analyzed medical records from Central Montgomery MH / MR of Ameer Johnson in preparation of a medical record summary	3.3		100	\$330.00
SCG	10/7/2015	Prepare correspondence to expert Stine, [redacted]	0.4		155	\$62.00
SCG	10/7/2015	Receive and analyze correspondence from expert Stine, [redacted]	0.1		155	\$15.50
SCG	10/7/2015	Prepare correspondence to claim rep, [redacted]	0.4		155	\$62.00
SCG	10/7/2015	Prepare correspondence to vocational expert, [redacted]	0.3		155	\$46.50
SCG	10/7/2015	Prepare correspondence to plaintiff, discuss and analyze expert ortho report on Adger	0.2		155	\$31.00
SCG	10/7/2015	Continue preparation of memo of law argument for Motion for Summary Judgment	4.2		155	\$651.00
SCG	10/8/2015	Receive and analyze correspondence from court reporter, discuss and analyze transcripts from testimony of Ameer Johnson and Officer Robinson	0.2		155	\$31.00

SCG	10/8/2015	Continue preparation of memo of law for Motion for Summary Judgment	4.6	3	155	\$465.00
SCG	10/8/2015	Telephone call from Ian at Judge Caracappa's chambers, discuss and analyze settlement conference	0.2		155	\$31.00
SCG	10/8/2015	Prepare correspondence to Stine, expert, [redacted]	0.2		155	\$31.00
SCG	10/8/2015	Receive and analyze correspondence from expert Ford, [redacted]	0.2		155	\$31.00
MS	10/13/2015	Analyzed / reviewed the deposition of Sargent Carl Robinson in preparation of deposition summary	3.1		100	\$310.00
MS	10/13/2015	Reviewed the complaint to find where the plaintiff fell to see if there is a common walkway easement	0.6	0	100	\$0.00
MS	10/13/2015	Analyzed / reviewed deposition of Ameer Johnson in preparation of a deposition summary	0.9		100	\$90.00
MS	10/14/2015	Analyzed / reviewed deposition of Ameer Johnson in preparation of a deposition summary	2.9		100	\$290.00
SCG	10/14/2015	Prepare correspondence to Dr. Mack, [redacted]	0.1		155	\$15.50
SCG	10/14/2015	Prepare correspondence to vocational expert Ford, [redacted]	0.2		155	\$31.00
MS	10/16/2015	Analyzed / reviewed pages 1 through 200 of medical records from University of Penn Hospital of the Plaintiff in preparation of a medical record summary	3.1		100	\$310.00
SCG	10/16/2015	Review digest of testimony of Ameer Johnson and Officer Robinson for Motion for Summary Judgment, select portions required for statement of material facts	0.7		155	\$108.50
SCG	10/16/2015	Continue preparation of Motion for Summary Judgment	3.1	2	155	\$310.00
SCG	10/16/2015	Receive and analyze additional records from Moss Rehab for Ameer	0.2		155	\$31.00
SCG	10/16/2015	Prepare correspondence to experts, [redacted]	0.2		155	\$31.00

SCG	10/16/2015	Pay to: Zeff Law Firm / Reimbursement for transportation of Ameer to evaluation (to & from)	1	0	118.54	\$0.00
SCG	10/16/2015	Reproduction Services from – Center City Legal Reproductions – Medical Records from Progress Physical therapy for Kalee Adger. Medical records from Concussion Clinic, Univ of PA (Radiology), Jefferson Univ Hosp for Ameer Johnson. Student records from Norristown SD for Ameer Johnson. Student records from Eisenhower School, Powell Center Records for Kalee Adger. invoice 462408	1		494.96	\$0.00
MS	10/19/2015	Continued to Analyze / review medical records from University of Pennsylvania of Plaintiff in preparation of a medical record summary	2.1		100	\$210.00
SCG	10/19/2015	Receive and analyze correspondence from expert Stine, [redacted]	0.7		155	\$108.50
SCG	10/19/2015	Prepare correspondence to expert Stine, [redacted]	0.3		155	\$46.50
SCG	10/19/2015	Receive and analyze final expert report from Stine	0.4		155	\$62.00
SCG	10/19/2015	Prepare correspondence to claim rep, [redacted]	0.3		155	\$46.50
SCG	10/19/2015	Prepare correspondence to attorney, discuss and analyze expert report from Stine	0.1		155	\$15.50
SCG	10/19/2015	Continue preparation of Motion for Summary Judgment and memo of law	0.7	0	155	\$0.00
MS	10/20/015	Analyze / reviewed volume 2, 590 pages of medical records from University of Pen hospital of Ameer Johnson in preparation of medical record summary	2.1		100	\$210.00

MS	10/20/2015	Analyze / reviewed medical records from Moss Rehab – Drucker Brain Injury Center of Ameer Johnson in preparation of medical record summary	1.1		100	\$110.00
MS	10/20/2015	Analyze / reviewed medical records from Moss Rehab Center for Ameer Johnson in preparation of medical record summary	2.1		100	\$210.00
SCG	10/20/2015	Continue preparation of Motion for Summary Judgment, selection and insertion of exhibit references	2.0	1	155	\$155.00
MS	10/21/2015	Continued to Analyze / reviewed medical record from Moss Rehab Center – Volume 1 of 2 of Ameer Johnson in preparation of a medical record summary	3.3		100	\$330.00
SCG	10/21/2015	Receive and analyze correspondence from attorney, discuss and analyze subpoena on Bailey probation officer seeking location	0.3		155	\$46.50
SCG	10/21/2015	Receive and analyze correspondence from expert Ford, [redacted]	0.5		155	\$77.50
SCG	10/21/2015	Prepare correspondence to expert Ford, [redacted]	0.2		155	\$31.00
SCG	10/26/2015	Receive and analyze final report from Expert Ford	0.4		155	\$62.00
SCG	10/26/2015	Prepare correspondence to attorney, discuss and analyze expert report of Ford	0.2		155	\$31.00
SCG	10/26/2015	Prepare correspondence to claim rep, [redacted]	0.4		155	\$62.00
SCG	10/26/2015	Receive and analyze correspondence from court, discuss and analyze order against Bailey	0.1		155	\$15.50
SCG	10/26/2015	Prepare correspondence to Bailey, discuss and analyze court order and deposition and discovery	0.3		155	\$46.50
SCG	10/27/2015	Receive and analyze correspondence from plaintiff, discuss and analyze notice to Bailey probation officer	0.2		155	\$31.00

SCG	10/27/2015	Continue preparation of Motion for Summary Judgment and memo of law, complete argument and references to record	3.8	3	155	\$465.00
MS	10/26/2015	Analyzed / reviewed medical records from Moss Rehab Volume 2 of 2 of the Plaintiff in preparation of a medical record summary	1.6		100	\$160.00
MS	10/27/2015	Continued to analyze / review medical records from Moss Rehab Volume 2 of 2 of the Plaintiff in preparation of a medical record summary	2.6		100	\$260.00
SCG	10/28/2015	Continue preparation of Motion for Summary Judgment and memo of law with references to record, conclusion and added argument regarding Stine expert report	0.7	0	155	\$0.00
SCG	10/28/2015	Receive and analyze correspondence from Dr. Mack, [redacted]	0.2		155	\$31.00
SCG	10/28/2015	Prepare correspondence to claim rep [redacted]	0.2		155	\$31.00
SCG	10/28/2015	Telephone call from claim rep, [redacted]	0.1		155	\$15.50
SCG	10/29/2015	Receive and analyze correspondence from claim rep, [redacted]	0.3		155	\$46.50
SCG	10/30/2015	Prepare for potential deposition of Bailey, analyze evidence and questions	0.5		155	\$77.50
SCG	10/30/2015	Attend deposition of Bailey, no show	0.4		155	\$62.00
SCG	10/30/2015	Prepare email to attorney regarding Bailey no show at deposition	0.1		155	\$15.50
SCG	11/3/2015	Complete Motion for Summary Judgment and memo of law with exhibit selection	2.2	2	155	\$310.00
SCG	11/3/2015	Prepare correspondence to judge, discuss and analyze Motion for Summary Judgment	0.2		155	\$31.00
MAR	11/11/2015	Reviewed & exchanged emails [redacted]	0.2		155	\$31.00

SCG	11/16/2015	Prepare correspondence to claim rep, [redacted]	0.3		155	\$46.50
SCG	11/16/2015	Telephone call from Bailey, discuss and analyze evidence, issues and need for deposition	0.4		155	\$62.00
SCG	11/16/2015	Prepare email and receive reply from plaintiff attorney regarding contact with Bailey, status of case and Motion for Summary Judgment	0.6		155	\$93.00
SCG	11/16/2015	Prepare correspondence to Bailey, discuss and analyze deposition testimony	0.2		155	\$31.00
SCG	11/17/2015	Deposition transcript – Media Court Reporting / Deposition – statement of Counsel – no appearance of Defendant Bailey / invoice 12105	1		123.50	\$0.00
SCG	11/30/2015	Receive and analyze correspondence from plaintiff, discuss and analyze request for additional time to respond to Motion for Summary Judgment	0.2		155	\$31.00
SCG	11/30/2015	Receive and analyze correspondence from court, discuss and analyze granting of request for additional time to respond to Motion for Summary Judgment	0.1		155	\$15.50
SCG	12/3/2015	Receive and analyze correspondence from plaintiff to judge, discuss and analyze request for additional time to respond to Motion for Summary Judgment pending testimony of Bailey	0.2		155	\$31.00
SCG	12/8/2015	Telephone call from attorney, discuss and analyze request for extension to Motion for Summary Judgment response	0.1		155	\$15.50
SCG	12/10/2015	Receive and analyze correspondence from plaintiff regarding deposition of Bailey	0.1		155	\$15.50

SCG	12/10/2015	Receive and analyze correspondence from plaintiff to judge, discuss and analyze request for extension for response to Motion for Summary Judgment	0.1		155	\$15.50
SCG	12/10/2015	Prepare for deposition of Bailey, analyze evidence and issues	0.4		155	\$62.00
SCG	12/10/2015	Attend deposition of Bailey, no show	0.4		155	\$62.00
SCG	12/11/2015	Prepare correspondence to claim rep, [redacted]	0.1		155	\$15.50
SCG	12/11/2015	Receive and analyze correspondence from court, discuss and analyze order granting plaintiff additional time to respond to Motion for Summary Judgment	0.1		155	\$15.50
SCG	12/15/2015	Receive and analyze plaintiff's response to Motion for Summary Judgment	0.9		155	\$139.50
SCG	12/15/2015	Prepare correspondence to claim rep, [redacted]	0.3		155	\$46.50
SCG	12/18/2015	Receive and analyze court order sealing documents on docket	0.1		155	\$15.50
SCG	12/30/2015	Deposition transcript – Diamond court Reporting / Attendance fee for appearing for Deposition of D Bailey & prepared Statement on record / invoice 14095	1		108	\$0.00
SCG	1/5/2016	Receive and analyze court order regarding oral argument	0.1		155	\$15.50
SCG	1/5/2016	Prepare correspondence to court, discuss and analyze oral argument request for continuance	0.2		155	\$31.00
SCG	1/5/2016	Prepare correspondence to claim rep, [redacted]	0.2		155	\$31.00
SCG	1/5/2016	Telephone call from Court, discuss and analyze oral argument	0.2		155	\$31.00
SCG	1/5/2016	Telephone call to and from attorney, discuss and analyze oral argument	0.3		155	\$46.50
SCG	1/6/2016	Begin preparation for oral argument, review dash cam video and case law	0.6		155	\$93.00

SCG	1/6/2016	Receive and analyze correspondence from court, discuss and analyze amended order regarding change of oral argument	0.1		155	\$15.50
SCG	1/6/2016	Prepare correspondence to claim rep, [redacted]	0.2		155	\$31.00
SCG	1/6/2016	Telephone call from claim rep, [redacted]	0.2		155	\$31.00
SCG	1/6/2016	Prepare email to attorney and receive reply, discuss and analyze amended order regarding change of oral argument and potential postponement of other trial deadlines	0.2		155	\$31.00
SCG	1/6/2016	Prepare correspondence to court, discuss and analyze amended order regarding change of oral argument and potential postponement of other trial deadlines	0.3		155	\$46.50
SCG	1/6/2016	Prepare draft of pre-trial memorandum	3.0		155	\$465.00
SCG	1/11/2016	Begin preparation of jury instructions for pre-trial	2.3		155	\$356.50
SCG	1/11/2016	Begin preparation of voir dire for pre-trial	0.5		155	\$77.50
SCG	1/7/2016	Reproduction Service from – Center City Legal Reproductions – Medical Records from Disability Care Mgt / invoice 472041	1		30	\$0.00
SCG	1/12/2016	Conference call with judge and counsel regarding Motion for Summary Judgment oral argument and trial issues	0.5		155	\$77.50
SCG	1/12/2016	Receive and analyze correspondence from court, discuss and analyze request for conference	0.1		155	\$15.50
SCG	1/12/2016	Receive and analyze correspondence from attorney, discuss and analyze reply to court's request for conference	0.1		155	\$15.50
SCG	1/12/2016	Prepare correspondence to court, discuss and analyze reply to court's request for conference	0.1		155	\$15.50

SCG	1/12/2016	Receive and analyze email and court order from court regarding conference	0.1		155	\$15.50
SCG	1/12/2016	Prepare draft of proposed verdict sheet	0.5		155	\$77.50
SCG	1/13/2016	Receive and analyze correspondence from claim rep, [redacted]	0.1		155	\$15.50
SCG	1/13/2016	Receive and analyze court order regarding conference and trial assignment	0.1		155	\$15.50
SCG	1/13/2016	Complete pre-trial memo required by court	0.6		155	\$93.00
SCG	1/13/2016	Prepare correspondence to claim rep [redacted]	0.4		155	\$62.00
SCG	1/13/2016	Prepare correspondence to clients, [redacted]	0.4		155	\$62.00
SCG	1/13/2016	Prepare for oral argument on Motion for Summary Judgment, analyze evidence and case law	3.0		155	\$465.00
MS	1/13/2016	Analyze / review medical records from Medical Rehab Center of PA of Plaintiff in preparation of a medical record summary	1.9		100	\$190.00
SCG	1/14/2016	Receive and analyze correspondence from claim rep, [redacted]	0.3		155	\$46.50
SCG	1/14/2016	Receive and analyze correspondence from client, [redacted]	0.2		155	\$31.00
SCG	1/14/2016	Prepare correspondence to claim rep [redacted]	0.1		155	\$15.50
SCG	1/14/2016	Prepare correspondence to Dr. Yucha, [redacted]	0.2		155	\$31.00
SCG	1/17/2016	Prepare for oral argument, review and analyze plaintiff's response to motion and arguments	1.2		155	\$186.00
SCG	1/18/2016	Telephone call with plaintiff regarding potential resolution	0.2		155	\$31.00
SCG	1/18/2016	Prepare correspondence to claim rep, [redacted]	0.2		155	\$31.00
SCG	1/18/2016	Prepare for oral argument on Motion for Summary Judgment, analyze and prepare outline of argument	3.4		155	\$527.00

SCG	1/18/2016	Prepare for oral argument on Motion for Summary Judgment, prepare case summary list	1.1		155	\$170.50
SCG	1/18/2016	Receive and analyze plaintiff's pre-trial memo	0.5		155	\$77.50
SCG	1/11/2016	Deposition transcript – Ferrigno Court Reporting / Depositions of Ameer Johnson & Carl Robinson / invoice of 150902	1	0	375.90	\$0.00
SCG	1/19/2016	Begin preparation of questions for trial for Officers	1.0		155	\$155.00
SCG	1/19/2016	Receive and analyze correspondence from claim rep, [redacted]	0.1		155	\$15.50
SCG	1/19/2016	Receive and analyze correspondence from court, discuss and analyze location of oral argument	0.1		155	\$15.50
SCG	1/19/2016	Additional preparation for oral argument, analyze case law and legal issues and arguments	2.5		155	\$387.50
SCG	1/19/2016	Travel and attend extensive oral argument on Motion for Summary Judgment	4.6		155	\$713.00
SCG	1/20/2016	Review and analyze recent Supreme Court case Plumoff v. Rickard for potential jury instruction	0.4		155	\$62.00
SCG	1/20/2016	Receive and analyze correspondence from attorney, discuss and analyze pre-trial conference	0.1		155	\$15.50
SCG	1/20/2016	Prepare correspondence to attorney, discuss and analyze pre-trial conference	0.1		155	\$15.50
SCG	1/20/2016	Prepare correspondence to court, discuss and analyze pre-trial conference	0.2		155	\$31.00
SCG	1/20/2016	Prepare correspondence to claim rep [redacted]	0.7		155	\$108.50
SCG	1/20/2016	Continue preparation of questions for officers for trial	3.0		155	\$465.00
SCG	1/21/2016	Prepare correspondence to IME doctor, [redacted]	0.1		155	\$15.50
SCG	1/21/2016	Telephone call with expert Stine [redacted]	0.2		155	\$31.00

SCG	1/21/2016	Telephone call with claim rep, [redacted]	0.3		155	\$46.50
SCG	1/21/2016	Receive and analyze court order with modified trial schedule	0.1		155	\$15.50
SCG	1/21/2016	Prepare correspondence to clients, [redacted]	0.1		155	\$15.50
SCG	1/22/2016	Continue preparation for trial with questions for Lt. Dillon	0.6		155	\$93.00
SCG	1/22/2016	Begin preparation of trial questions for Kalee Adger	1.3		155	\$201.50
SCG	1/26/2016	Complete draft questions for trial for Kalee Adger	2.1		155	\$325.50
SCG	1/26/2016	Complete draft questions for trial for Ameer Johnson	2.4		155	\$372.00
SCG	1/26/2016	Receive and analyze correspondence from court, discuss and analyze order for conference	0.1		155	\$15.50
SCG	1/26/2016	Prepare correspondence to attorney regarding order for conference	0.1		155	\$15.50
SCG	1/19/2016	Local Travel at .54/mile – travel to / from Federal Court in Phila for Oral argument	44	0	0.54	\$0.00
SCG	1/27/2016	Receive and analyze correspondence from claim rep [redacted]	0.4		155	\$62.00
SCG	1/30/2016	Prepare for doctor trial deposition of Yucha, prepare questions and analyze evidence	2.0		155	\$310.00
SCG	2/1/2016	Begin trial questions for Salima Hawthorne	0.6		155	\$93.00
SCG	2/1/2016	Continue preparation of trial questions for Ameer Johnson	2.3		155	\$356.50
SCG	2/1/2016	Telephone call from claim rep, [redacted]	0.1		155	\$15.50
SCG	2/2/2016	Continue trial prepared questions for Salima Hawthorne	1.7		155	\$263.50
SCG	2/2/2016	Conference call initiated by Judge, discuss and analyze dismissal of case	0.2		155	\$31.00
SCG	2/2/2016	Telephone call to claim rep [redacted]	0.2		155	\$31.00
SCG	2/2/2016	Prepare email to plaintiff, discuss and analyze rescission of offer	0.1		155	\$15.50
SCG	2/2/2016	Prepare email to clients, [redacted]	0.4		155	\$62.00

SCG	2/2/2016	Receive and analyze correspondence from clients, [redacted]	0.2		155	\$31.00
SCG	2/2/2016	Prepare email to expert Stine, [redacted]	0.1		155	\$15.50
SCG	2/4/2016	Receive and analyze correspondence from Stine, [redacted]	0.1		155	\$15.50
SCG	2/5/2016	Receive and analyze court opinion and order granting Motion for Summary Judgment	0.7		155	\$108.50
SCG	2/5/2016	Receive and analyze court order regarding potential sanctions against plaintiff attorney	0.3		155	\$46.50
SCG	2/5/2016	Prepare correspondence to claim rep and clients, [redacted]	0.3		155	\$46.50
SCG	2/8/2016	Telephone call from claim rep, [redacted]	0.3		155	\$46.50
SCG	2/5/2016	Reproduction Services from – Center City Legal Reproductions – Medical records from Moss Rehab Hosp / invoice 473641	1	0	54.50	\$0.00
SCG	2/23/2016	Receive and analyze email from court, discuss and analyze location of hearing for potential sanctions against plaintiff	0.1		155	\$15.50
SCG	2/23/2016	Receive and analyze correspondence to attorney for plaintiff attorney, discuss and analyze representation for potential sanctions against counsel	0.2		155	\$31.00
SCG	2/24/2016	Prepare email to claim rep, [redacted]	0.3		155	\$46.50
SCG	2/24/2016	Prepare timeline for sanctions hearing on issues of presentation of video	0.6		155	\$93.00
SCG	2/24/2016	Travel and attend sanctions hearing against counsel	3.0		155	\$465.00
Total:						\$29,166.00

Appendix B. Costs.

Date	Narrative	Citation	Cost
7/12/2015	Fees for service of subpoenas of Jasha Overton and Nikeen Flagg	ECF No. 49-3 at 54–56.	\$300.00
7/21/2015	Diamond Court Reporting – Depositions of Salima Hawthorne, Kalee Adger and Nikeen Flagg	ECF No. 49-2 at 20.	\$916.70
8/12/2015	Diamond Court Reporting – Deposition of Bailey (no show)	ECF No. 49-3 at 57–58.	\$100.00
10/1/2015	Center City Legal Reproductions – Fees and costs for copies of documents relating to Ameer Johnson and Kalee Adger	ECF No. 49-3 at 59–61.	\$494.96
10/29/2015	Ferringo Court Reporting – Depositions of Chief Tallbottom, Corporal Benson, Corporal Brooke and Chief Tallbottom (Rule 30(b)(6))	ECF No. 49-2 at 21–22.	\$598.50
11/1/2015	Center City Legal Reproductions, Inc. – Fees and costs for copies of documents relating to Ameer Johnson and Kalee Adger	ECF No. 49-3 at 2–4.	\$1,027.78
11/9/2015	Media Court Reporting – Deposition of Bailey (no show)	ECF No. 49-3 at 67–68.	\$123.50
12/1/2015	Center City Legal Reproductions, Inc. – Fees and costs for copies of documents relating to Kalee Adger and Ameer Johnson	ECF No. 49-3 at 5–7.	\$598.05
12/10/2015	Diamond Court Reporting – Deposition of Bailey (no show)	ECF No. 49-3 at 69.	\$108.00
1/1/2016	Center City Legal Reproductions, Inc. – Fees and costs for copies of documents relating to Ameer Johnson	ECF No. 49-3 at 70–71.	\$30.00
2/1/2016	Center City Legal Reproductions, Inc. – Fees and costs for copies of documents relating to Ameer Johnson	ECF No. 49-3 at 72–73.	\$54.50
Total:			\$4,351.99